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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/982,771	10/22/2001	Hiroshi Nishiyama	Q66525	8452

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Washington, DC 20037

EXAMINER
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CATHEY II, PATRICK H

ART UNIT	PAPER NUMBER
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2613

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/982,771

Applicant(s)

NISHIYAMA ET AL.

Examiner

Patrick H. Cathey II

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 and 12-14 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-4 and 12-14 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 17 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

Applicant's arguments, see Remarks, filed 03/17/2005, with respect to Claim 1 have been fully considered and are persuasive. The rejection of Claim 1 with respect to the Lachinski reference has been withdrawn.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim's 1, 3 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lachinski et al. (US 5,633,946) in view of Lotocky et al. (US 5,848,367).

As for Claim's 1, 12 and 14, Lachinski et al. teach a plurality of picture transmitting apparatus including, an input unit for inputting a picture signal from the plurality of picture sources (Column 4, lines 49-64), a data converter for converting the picture signal from the input unit into picture data having a predetermined transfer rate (Column 6, line 64 to Column 7, line 2) and a transmission unit for transmitting the picture data converted by the data converter to the vehicle-inside communication line (Column 4, lines 24-34). Lachinski et al. also teach a plurality of picture receiving apparatus, each of the plurality of picture receiving apparatus including, a reception unit

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for receiving the picture data transmitted from the picture transmitting unit via the vehicle-inside communication line and a data converter for converting the picture data from the reception unit into a picture signal (Column 5, lines 24-27), an output unit for outputting the picture signal converted by the data converter (Column 5, lines 50-57), a line management unit for outputting a control signal (Column 6, lines 48-63) and a provision unit for providing information, which the picture signal from the output unit of the picture receiving apparatus represents, with a user in the vehicle (Column 14, lines 49-53).

Lachinski et al. do not specifically teach where the line management unit outputs to the rate controller, control signal capable of controlling the transfer rate of the picture data from each of the picture transmitting apparatus to the picture data from each of the picture transmitting apparatus to the vehicle-inside communication line, based upon transfer capacity information indicative of a transfer capacity of the vehicle-inside communication line and transfer rate information indicative of a transfer rate used in the vehicle-inside communication line. Lachinski et al. do teach a time code generator that shows the capacity of frames being able to be transferred per second for the video recorder (Column 6, lines 35-47). Lachinski et al. also show that the video cameras are capable of obtaining images at a rate of 30 frames per second (Column 6, line 64 to Column 7, line 2). This shows that there is a predetermined transfer rate. This transfer rate is also connected to the control computer which sends the information to the router, or line management unit, and then to the video monitors (Column 8, lines 10-25; Column 3, lines 39-55; see also Figure 2).

Lachiniski et al fail to specifically teach the above mentioned claim limitations, but Lotocky et al. does. Lotocky et al. teach a data converter for converting the picture signal from the input unit into picture data having a predetermined transfer rate (Column 4, lines 27-45), a rate controller for controlling the data converter to control the transfer rate (Column 5, lines 36-53), a line management unit for outputting a control signal to the rate controller, the control signal designating the transfer rate of the picture data transferred via the vehicle-inside communication line (Column 3, lines 41-55; Column 4, lines 27-45; Column 5, lines 36-53), where the line management unit outputs to the rate controller, a control signal capable of controlling the transfer rate of the picture data from each of the picture transmitting apparatus to the vehicle-inside communication line, based upon transfer capacity information indicative of a transfer capacity of the vehicle-inside communication line, and information indicative of a transfer rate used in the vehicle-inside communication line (Column 3, lines 41-55; Column 4, lines 27-45; Column 5, lines 36-53) and where the rate controller controls the data converter so that the transfer rate at which the picture data is transmitted by the transmission unit is controlled based upon the control signal for controlling the transfer rate from the line management unit (Column 3, lines 41-55; Column 4, lines 27-45; Column 5, lines 36-53). Since the control system within the vehicle-inside communication line is just controlling the rate at which the signal are being sent, it would have been obvious to one of ordinary skill to control these rates because within a network of signal communications, transfer rate vary within different data signal that are being sent. This

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would show a controller that is capable of controlling these transfer rate an obvious necessity of what is needed within this system.

As for Claim 13, many of the limitations have been addressed in the above rejections. Lachinski et al. fail to specifically teach where the plurality of picture transmitting apparatus receive analog picture signals from the picture sources, convert the analog picture signals to digital picture data, and transmit the digital picture data to the plurality of picture receiving apparatus via the communication line and where the plurality of picture receiving apparatus receive the digital picture data and convert the digital picture data to analog output picture signals, but Lotocky et al. does (Column 3, lines 51-55). Since within a digital communication system, a digital signal is required in order to transmit data, it would have been obvious to one of ordinary skill to convert an analog communication line to a digital signal in order for transmission or else there would be no transmission possible to be taken place. It would also have been obvious to convert the digital data back to the analog data in order to view the original analog image because otherwise you would be viewing a digital image and not the original analog image. By converting back to the analog image you don't lose the fidelity or natural colors of the original analog image. Also digital to analog converters are extremely well known in the art and take place all the time in many past inventions. Another note to the obviousness is that the light being reflected from the image is an analog image. The real-time image is analog within the vehicle and it is known that cameras have a feature that converts the analog image into a digital image for future transmission.

Claim's 2 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lachinski et al. in view of Lotockey et al. and further in view of Young (US 6,320,612).

As for Claim's 2 and 4, many of the limitations have been addressed by the above rejections. Lachinski et al. and Lotockey et al. fail to teach information of the picture data imaged by the back-sight monitoring camera apparatus based upon a back gear signal produced when the user sets a back gear, but Young does (Column 4, lines 34-44). Since Lachinski et al. teaches a camera on the back of the vehicle for detecting rear sight at any time, it would have been obvious to one of ordinary skill to use the rear-sight camera as a back gear signal as well if you wanted to the capability to see images behind the vehicle as well as within the rear of the vehicle because all it takes is a simple camera to be able to have a back gear view.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick H. Cathey II whose telephone number is (571)272-7326. The examiner can normally be reached on M-F 7:30 to 5:00 (Every other Friday off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mehrdad Dastouri can be reached on (571)272-7418. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrick H. Cathey II  
Examiner  
Art Unit 2613

PHC

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SUPERVISORY PATENT EXAMINER  
TC 2600  
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